

Board of Pharmacy

Initial Statement of Reasons

Subject Matter of Proposed Regulation: Coursework From Non Recognized Providers

Section Affected: 1732.2

Problem Addressed

The Pharmacy Law (Business and Professions Code sections 4000 et seq.) authorizes the Board of Pharmacy to establish and implement rules and regulations regarding the practice of pharmacy as may be necessary for the protection of the public.

Business and Professions Code section 4231 requires that the Board of Pharmacy shall not renew a pharmacist license unless the applicant provides proof that he or she has successfully completed approved courses of continuing education. The requirement for the preceding two years is not to exceed 30 clock hours. There is an exemption for licensees during the first two years immediately following graduation from a college of pharmacy.

Business and Professions Code section 4232 outlines the form and subject matter of the continuing education courses.

California Code of Regulations, Title 16, Division 17, section 1732.1 details requirements for recognized providers of continuing education.

California Code of Regulations, Title 16, Division 17, section 1732.2 (a) provides for non recognized providers to petition the board to allow continuing education credit for coursework not offered by a recognized provider but meeting relevance and quality standards as set forth in section 1732.1(c).

California Code of Regulations, Title 16, Division 17, section 1732.2 (b) provides for acceptance of continuing education coursework approved by the Medical Board of California, the California Board of Podiatric Medicine, the Board of Registered Nursing or the California State Board of Dental Examiners upon written petition to the board.

The proposed amendment would allow the board to accept completed coursework approved by the Medical Board of California, the California Board of Podiatric Medicine, the California Board of Registered Nursing or the Dental Board of California without petition to the board.

Pharmacists obtaining continuing education as required for renewal would have a larger selection of courses to choose from in selecting courses to enhance their education. The deletion of the requirement for written petition to the board would provide broader opportunities for pharmacist seeking continuing education through courses approved by the Medical Board of California, the California Board of Podiatric Medicine, the California Board of Registered Nursing or the Dental Board of California.

The proposed amendments provide for changes in names of the Board of Registered Nursing to the

California Board of Registered Nursing as well as the California State Board of Dental Examiners to the Dental Board of California.

Specific Purpose of the Regulation

The purpose of this proposal is to allow the board to accept continuing education coursework approved by the Medical Board of California, the California Board of Podiatric Medicine, the California Board of Registered Nursing or the Dental Board of California upon completion by a pharmacist without written petition to the board.

The proposed amendment also provides for changes in names of the Board of Registered Nursing to the California Board of Registered Nursing as well as the California State Board of Dental Examiners to the Dental Board of California.

Factual Basis

Pursuant to Business and Professions Code section 4005 the Board of Pharmacy has the authority to promulgate regulations to regulate the practice of pharmacy.

The board is charged with the responsibility of protecting the public health, safety and welfare. To do this the board must verify that each applicant for renewal of a pharmacist license satisfies all the requirements set forth in Business and Professions Code section 4231.

The board has determined that the amendment proposed in the regulatory action will facilitate the process for both pharmacists in fulfilling their continuing education requirement and non-recognized providers by the Board of Pharmacy who are recognized by the Medical Board of California, the California Board of Podiatric Medicine, the California Board of Registered Nursing or the Dental Board of California.

Information pertaining to approved coursework for continuing education credit found on the websites of the Medical Board of California, the California Board of Podiatric Medicine, the California Board of Registered Nursing or the Dental Board of California were reviewed when determining the board would accept each board's respective approved coursework upon completion.

The board discussed the amendments to California Code of Regulation section 1732.2 at the January Board meeting held January 23 and 24, 2002, in Los Angeles, California. A summary of the discussion is provided below.

Chairperson Donald Gubbins, Jr. stated that traditionally, the board requires pharmacists to renew their licenses every two years and if a pharmacist obtains continuing education from a provider that is not recognized by the Board of Pharmacy, he or she has two ways to obtain approval. First, the non-recognized provider can apply to the board to have the continuing education approved, or the pharmacist can apply individually for approval of the continuing education. Either way, the cost for review is \$40 per unit.

Chairperson Gubbins added that many pharmacists take CE offered by other health professions. California Code of Regulations section 1732.2 states that coursework accepted by the Medical Board of California, the California Board of Podiatric Medicine, the Board of Registered Nursing or

the Dental Board of California as meeting their requirements and which meets the standards of relevance to pharmacy practice, may be approved for credit by the board upon written petition to the board. To petition the board, the pharmacist must pay \$40 per unit for review.

Mr. Jones stated that usually the CE courses that are offered by other health professions are related to the practice of pharmacy.

Ms. Harris explained the staff review process for CE courses noting that it includes an evaluation of the course content, the assessment document and the synopsis of the program.

Teresa Miller, representing the California Society of Hospital Pharmacists, thanked the Licensing Committee for reconsidering this issue and she explained that many professionals within their membership take courses relating to the medical profession or other health care professions, especially practitioners in specialty areas. Dr. Miller added that this board evaluation significantly increases the cost of continuing education.

Steve Gray, representing Kaiser Permanente, stated that Kaiser has many educational programs for physicians, nurses, and other health professionals and that it would like to encourage pharmacists to attend these programs as well. Dr. Gray added that since the Board of Pharmacy changed its policy to evaluate CE courses, Kaiser pharmacists do not participate in these programs because they must first attend the class and then hope the board approves the CE. Dr. Gray noted that it is beneficial for those attending these programs because they gain insight and an understanding of others in their professions. Dr. Gray encouraged the board to move forward with this proposal.

John Cronin, representing the California Pharmacists Association, also stated its support for the regulation change.

Morrie Goldstein, representing the Guild for Professional Pharmacists, stated that the guild receives frequent calls on clarification of the accreditation issue. He recommended that the board support this important proposal.

A motion was made to amend California Code of Regulation Section 1732.2 to accept continuing education (CE) for pharmacists if approved by other regulatory boards that license health professionals. The board voted 10/0 in support of the motion.

Underlying Data: None

Business Impact

This regulation would have no significant adverse economic impact on businesses. This regulation would assist providers of continuing education recognized by the Medical Board of California, the California Board of Podiatric Medicine, the California Board of Registered Nursing or the Dental Board of California in providing continuing education for pharmacists.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No alternative which was considered would be either more effective than or equally as effective and less burdensome to affected private persons than the proposed regulation.